

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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| EASTMAN KODAK COMPANY,<br><br>Judgment-Creditor,<br><br>v.<br><br>ASIA OPTICAL COMPANY, INC.,<br><br>Judgment-Debtor. |
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Case No. 11-CV-6036 (DLC)

**ASIA OPTICAL COMPANY, INC.'S EMERGENCY MOTION TO STAY PERMANENT  
INJUNCTION PENDING APPEAL,  
OR IN THE ALTERNATIVE, FOR TEMPORARY ADMINISTRATIVE STAY**

**EMERGENCY MOTION AND NOTICE OF MOTION**

PLEASE TAKE NOTICE that, on a date and at a time to be set by the Court, or as soon thereafter as counsel can be heard, in the Courtroom of the Honorable Denise L. Cote, United States District Judge for the Southern District of New York, 2500 Pearl St., New York, NY 10007-1312, Defendant Asia Optical, Inc. (“Asia Optical”) will move this Honorable Court, pursuant to Rule 62(c) of the Federal Rules of Civil Procedure for an order staying or suspending the enforcement of this Court’s Order For Permanent Injunction entered on July 30, 2015 (Dkt. No. 183) (the “Permanent Injunction”), pending resolution of Asia Optical’s appeal to the United States Court of Appeals for the Second Circuit.

In view of the fast-approaching date by which Asia Optical must take steps to comply with the Permanent Injunction—August 6, 2015—Asia Optical respectfully requests an immediate ruling so that, if necessary, it may seek an emergency stay from the Court of Appeals.

If the Court is not inclined to grant the motion for a stay pending appeal, Asia Optical moves for a temporary administrative stay of the Permanent Injunction pending resolution by the Court of Appeals of a stay motion to that court under Rule 8(a)(2) of the Federal Rules of Appellate Procedure. Such an administrative stay would allow both this Court and the Court of Appeals to consider a stay pending appeal on a non-emergency basis, with full briefing. If this Court enters a temporary administrative stay but denies a stay pending appeal, Asia Optical will promptly inform this Court of any Court of Appeals decision regarding a stay pending appeal.

In support of the instant motion, Asia Optical relies on the accompanying Memorandum of Points and Authorities, the concurrently filed Declaration of Jasper Jia in support of this

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motion, any reply memorandum, the filings in this action, and such other matters as may be presented to the Court.

Dated: August 4, 2015

Respectfully submitted,

By: /s/ Christopher Kao  
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